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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,708	12/04/2003	Yasuo Mori	00862.023354.	7041

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NEW YORK, NY 10112

EXAMINER
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LUDWIG, MATTHEW J

ART UNIT	PAPER NUMBER
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2178

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07/30/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/726,708	MORI ET AL.
	Examiner Matthew J. Ludwig	Art Unit 2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 07 May 2007.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12, 18 and 20-25 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12, 18 and 20-25 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date: _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date: _____	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

1. This office action is in response to the amendment received 5/7/2007.
2. Claims 1-12, 18, and 20-25, are currently pending in the case, with claims 1, 7, 18, 20, and 23 being the independent claims.
3. Claims 1, 7, 18, 20, and 23, rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter has been withdrawn pursuant to applicant's amendment. Furthermore, claims 1-19, rejected under 35 U.S.C. 103(a) as being unpatentable over Usami in view of Orr, have been withdrawn pursuant to applicant's amendment.

### ***Claims Rejection – 35 U.S.C. 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-12, 18, and 20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Usami, et al (U.S. Patent 5,363,480, issued November 8, 1994) [hereinafter “Usami”] in view of Orr, et al. (U.S. Patent 5,895,477, issued April 20, 1999) [hereinafter “Orr”] and further in view of Petz Pat. Pub. No. 2004/0187081 filed 4/4/2002.**

Regarding **independent claim 1, as amended**, Usami in view of Orr teaches:

*A document processing apparatus for a structured document formed by at least one group having a specific attribute, wherein each of the at least one group contains at least one page, each of which has a print attribute, said apparatus comprising:*

*a display controller which controls display of an object as an image indicating at least one original page contained in the document;*

*an instruction unit which accepts and instruction from a user to insert a new page into the document, on a screen on which the object is displayed as the image by said display controller; and*

*an editor which edits the document so as to generate a new group containing the new page and to insert the new group into the document in accordance with the instruction accepted by said instruction unit,*

*wherein said display controller controls display of the objects including an object corresponding to the new group, using the document edited by said editor.*

(Usami teaches a multiple page display for word processing including editing with a display controller that displays images of the original pages, but it does not expressly teach displaying a document structure with an original page contained in the object and does not teach an inserting a new group of pages.

Orr teaches a display controller that displays document structure and the original pages, and further, teaches the insertion of a plurality of objects to the original documents via a tree structure, and such object may include pages.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Usami with Orr to result in a word processing program that displayed the document by pages and to make insertions by pages because both programs deal with the creation and manipulation of electronic documents. Suggestion for a page by page insertion according to the invention of Orr is taught by Orr in Figures 1 and 2, teaching a saved document that is edited through a user interface with an associated edited version which is then processed to a multi-page information presentation.). The multipage presentation illustrated in figure 1C is an example of a group (wherein one group contains at least one page) with the page divided into three different pages and each page including the image. This would suggest dividing an original group including pages. Also, the page illustrated in figure 1B provides the layout prior to the author editing the webpage (HTML document) and moving a page from the original group. See column 7, lines 1-67 and column 8, lines 11-67.

The reference to Usami teaches multiple page displays for word processing documents including editing with a display controller that displays images of the original pages. The reference fails to explicitly teach or suggest a selection accepting unit which accepts a selection of an attribute to be employed as an attribute of the new chapter, wherein the selection is between an attribute of the original chapter and another predetermined attribute, and wherein the selection is instructed using a selection menu screen. The Petz reference provides a user selectable means of editing print attributes within a document or a region of the document. Editing features of the Petz reference allow a user a means of selecting attributes of the original cheaper and another predetermined chapter utilizing the selection screen. See page 4, [0053] through [0059]. It would have been obvious to one of ordinary skill in the art, having the

teachings of Usami and Petz before him at the time the invention was made, to modify the document processing methods of Usami to include the attribute-editing features of Petz, because it would have given the user a word processing program that displayed the document by pages and to allowed for the attributes of the document structure to be manipulated as well as both programs deal with the creation and manipulation of electronic documents.

Regarding **dependent claim 2, as amended**, Usami in view of Orr teaches:

*The apparatus according to claim 1, wherein said display controller displays a selection window capable of selecting whether to edit the document so as to insert the new group containing the designated original page to a designated position or whether to move a designated original page to the designated position in accordance with designation of the original page and the position of the objects, and said editor performs editing processing in accordance with selection in the selection window.*

(See rejection of Claim 1, above, and see also, Orr, Figures 1-2, teaching an editing window with “File,” “Edit,” “View,” and “Insert” functions.)

Regarding **dependent claim 3, as amended**, Usami in view of Orr teaches:

*The apparatus according to claim 1, wherein the group has a group attribute, and said editor causes the new inserted group to inherit an attribute of the group.*

(See rejection of Claim 1, above, and see also, Orr, col. 3, lines 27-34, teaching matching the edited content to the original content.)

Regarding **dependent claim 4**, Usami in view of Orr teaches:

*The apparatus according to claim 1, wherein the group has a group attribute, and said editor gives a predetermined attribute to the new inserted group.*

(See rejection of Claim 1, above, and see also, Orr, col. 3, lines 27-34, teaching matching the content to new components in the design tree.)

Regarding **dependent claim 5, as amended**, Usami in view of Orr teaches:

*The apparatus according to claim 1, wherein the group has a group attribute, said editor causes said display controller to display a selection window capable of selecting whether to cause the new inserted group to inherit an attribute of the group, or whether to give a predetermined attribute, and said editor performs editing processing in accordance with selection in the selection window.*

(See rejection of Claim 1, above, and see also, Orr, claim 7, teaching use of a content drop table to determine the content type to be used.)

Regarding **dependent claim 6**, Usami in view of Orr teaches:

*The apparatus according to claim 1, wherein the group of the original pages is made to correspond to a layer of a data structure having at least one chapter which forms a document, and at least one original page is made to correspond to a lower layer of the data structure of the chapter.*

(See rejection of Claim 1, above. In addition, since the invention displays a series of pages, it would be obvious to one of ordinary skill in the art at the time of the invention that the pages

displayed may constitute a chapter that forms a document. Further, see, Orr, Figure 31, teaching that the original page may be modified to any form in the tree structure.)

Regarding **claims 7-12, as amended**, claims 7-12 incorporates substantially similar subject matter as claimed in claims 1-6, respectively, and are rejected along the same rationale.

Regarding **independent claim 18**, Usami in view of Orr teaches:

*A program stored on a computer readable storage medium, said program for causing a computer to process a structured document formed by at least one group having a specific attribute, wherein each of the at least one group contains at least one page, each of which has a print attribute, wherein the program comprises:*

*code for a display control step of controlling display of an object as an image indicating at least one original page contained in the document;*

*a code for an instruction accepting step of accepting an instruction from a user to insert a new page into the document, on a screen on which the object is displayed as the image in said display control step; and*

*code for an editing step of editing the document so as to generate a new group containing the new page and to insert the new group into a document in accordance with the instruction accepted in said instruction accepting step,*

*wherein in the display control step, display of the image objects, including an object corresponding to the new group, is controlled using the document edited in the editing step.*

(Usami teaches a multiple page display for word processing including editing with a display controller that displays images of the original pages, but it does not expressly teach displaying a document structure with an original page contained in the object and does not teach an inserting a new group of pages.

Orr teaches a display controller that displays document structure and the original pages, and further, teaches the insertion of a plurality of objects to the original documents via a tree structure, and such object may include pages. In addition, Orr teaches a “design facet” that is part of the “design tree” of the composition tree structure. See, Orr, Figures 5A-7, and col. 15, line 62 through col. 16, lines 51. Further see, Orr, Figures 1-2, and 29, teaching control of the object in the editing step.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Usami with Orr to result in a word processing program that displayed the document by pages and to make insertions by pages with and without attribute modifications because both programs deal with the creation and manipulation of electronic documents. Suggestion for a page by page insertion according to the invention of Orr is taught by Orr in Figures 1 and 2, teaching a saved document that is edited through a user interface with an associated edited version which is then processed to a multi-page information presentation.) The multipage presentation illustrated in figure 1C is an example of a group (wherein one group contains at least one page) with the page divided into three different pages and each page including the image. This would suggest dividing an original group including pages. Also, the page illustrated in figure 1B provides the layout prior to the author editing the webpage (HTML

document) and moving a page from the original group. See column 7, lines 1-67 and column 8, lines 11-67.

The reference to Usami teaches multiple page displays for word processing documents including editing with a display controller that displays images of the original pages. The reference fails to explicitly teach or suggest a selection accepting unit which accepts a selection of an attribute to be employed as an attribute of the new chapter, wherein the selection is between an attribute of the original chapter and another predetermined attribute, and wherein the selection is instructed using a selection menu screen. The Petz reference provides a user selectable means of editing print attributes within a document or a region of the document. Editing features of the Petz reference allow a user a means of selecting attributes of the original chapter and another predetermined chapter utilizing the selection screen. See page 4, [0053] through [0059]. It would have been obvious to one of ordinary skill in the art, having the teachings of Usami and Petz before him at the time the invention was made, to modify the document processing methods of Usami to include the attribute-editing features of Petz, because it would have given the user a word processing program that displayed the document by pages and to allowed for the attributes of the document structure to be manipulated as well as both programs deal with the creation and manipulation of electronic documents.

Regarding **independent claim 20**, Orr teaches:

*A document processing apparatus for processing document data containing chapters, each of which contains pages, comprising:*  
*obtainment means for obtaining data containing pages; and*

*generation means for, when said obtainment means has obtained data containing pages, generating a new chapter which is different from chapters currently contained in the document data and which contains the pages obtained by said obtainment means.*

(See, Orr, figures 19-22, and 38, and col. 23, line 63 through col. 26, line 44, teaching the insertion of a word processing document into another document.

Orr does not expressly teach that the document “contains chapters.” It would have been obvious to one of ordinary skill in the art that insertion of word processing text into a document may include a situation wherein the document is a part of a book or a “chapter.”

The Examiner takes official notice of the fact that it was well known by one of ordinary skill in the art at the time of the invention that word processors were used to write books with the ability to edit the text in the books, that some form of “attainment means” was used for identifying content to be edited into a word processing document, and that such editing was done with such commonly available word processing programs as Wordstar, Word Perfect, and Microsoft Word. It was further well known that books may include chapters, and that the editing of text in a book may result in the editing of text in a chapter to result in a “new chapter.” It is inherent that insertion of a new word processing document into a old document results in a new combined document. Therefore, it is also inherent that if the old document was a “chapter,” as was well known to one of ordinary skill in the art at the time of the invention, the new combined document would, necessarily and inherently, be a “new chapter which is different from chapters currently contained in document data.”). The multipage presentation illustrated in figure 1C is an example of a group (wherein one group contains at least one page) with the page divided into three different pages and each page including the image. This would suggest

dividing an original group including pages. Also, the page illustrated in figure 1B provides the layout prior to the author editing the webpage (HTML document) and moving a page from the original group. See column 7, lines 1-67 and column 8, lines 11-67.

The reference to Usami teaches multiple page displays for word processing documents including editing with a display controller that displays images of the original pages. The reference fails to explicitly teach or suggest a selection accepting unit which accepts a selection of an attribute to be employed as an attribute of the new chapter, wherein the selection is between an attribute of the original chapter and another predetermined attribute, and wherein the selection is instructed using a selection menu screen. The Petz reference provides a user selectable means of editing print attributes within a document or a region of the document. Editing features of the Petz reference allow a user a means of selecting attributes of the original cheaper and another predetermined chapter utilizing the selection screen. See page 4, [0053] through [0059]. It would have been obvious to one of ordinary skill in the art, having the teachings of Usami and Petz before him at the time the invention was made, to modify the document processing methods of Usami to include the attribute-editing features of Petz, because it would have given the user a word processing program that displayed the document by pages and to allowed for the attributes of the document structure to be manipulated as well as both programs deal with the creation and manipulation of electronic documents.

Regarding **dependent claim 21**, Orr teaches:

*An apparatus according to claim 20, wherein said obtainment means obtains data containing pages by import, and  
said generation means generates a new chapter containing the pages obtained by  
said obtainment means by import to insert the new chapter into the document data.*

(See, Orr, col. 24, lines 4-56, teaching an obtainment means by “import” identifying means of import such as file name, URL address, computer interface, computer network, etc.

See, Orr, col. 23, line 63 through col. 26, line 44, teaching “inserting” as “dropping” to generate a new document.

As discussed in rejection of claim 21, above, the document of as a “chapter” would have been obvious to one of ordinary skill in the art at the time of the invention.)

Regarding **dependent claim 22**, Orr teaches:

*An apparatus according to claim 20, wherein, in response to an instruction to divide a chapter contained in the document data, said obtainment means obtains data containing pages constituting a portion of the chapter instructed to be divided, and  
said generation means generates a new chapter containing the pages obtained by  
said obtainment means to insert the new chapter into the document data.*

(See, Orr, figures 19-21, and col. 24, line 57 through col. 26, line 44, teaching dividing a document and that new text is inserted into the document, which may be pages inserted into a chapter, and a new chapter is created. Orr does not expressly teach that the new document is a

chapter. As discussed in rejection of claim 21, above, the document of as a “chapter” would have been obvious to one of ordinary skill in the art at the time of the invention.)

Regarding claims 23-25:

Claims 23-25 incorporate substantially similar subject matter as claimed in claims 20-22 and are rejected along the same rationale.

***Response to Arguments***

6. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Applicant amended the independent claims to include newly formed language and thus changed the scope of the invention when read as a whole. The rejection has been modified to account for the newly formed independent claims.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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